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OFFICE OF PETITIONS

WALKER DIGITAL
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STAMFORD CT 06905

In re Application of
Jay S. Walker et al.
Application No. 09/348,566
Filed: July 7, 1999
Attorney Docket No. WD2-98-120

ON PETITION
PETITION

This is a decision on the petition under 37 CFR 1.78(a)(3), filed April 23, 2003 (certificate of mail date), to accept an unintentionally delayed claim under 35 USC § 120 for the benefit of a prior filed application.

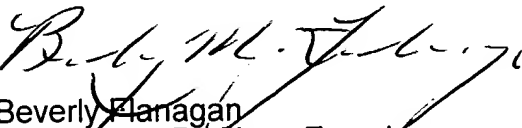
The petition is **DISMISSED AS MOOT**.

The instant application was filed on July 7, 1999. A petition for a acceptance of a claim for late priority under 37 CFR 1.78(a)(3) is only applicable to those applications filed on or after November 29, 2000. See 65 FR 57024 (Sept. 20, 2000). Therefore, the petition is dismissed as involving a moot issue.

In view of the above, the no fees are due and none have been charged for the petition under 37 CFR 1.78(a)(3).

Any inquiries concerning this decision on petition may be directed to Senior Petitions Attorney Patricia Faison-Ball in the Office of Petitions at (703) 305-4497.

The application is being forwarded to Technology Center 3600 for consideration of the RCE, amendment and request for three month extension of time, filed April 23 (certificate of mail date) in response to the final office action mailed October 23, 2002.


Beverly Flanagan
Supervisory Petitions Examiner
Office of Petitions